

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number: 10-20017
Honorable Thomas L. Ludington

DAVID ANDREW DELACRUZ-SLAVIK

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION, ACCEPTING
DEFENDANT'S PLEA OF GUILTY AS TO COUNTS ONE AND THREE OF THE
FIRST SUPERCEDING INDICTMENT, AND TAKING THE RULE 11 PLEA
AGREEMENT UNDER ADVISEMENT**

A plea hearing was conducted on January 3, 2011, by United States Magistrate Judge Charles E. Binder pursuant to the defendant's consent. The magistrate judge issued his report on January 3, 2011, recommending that this Court accept the defendant's plea of guilty to counts one and three of the first superceding indictment. As of today's date, no party has filed any objections to the magistrate judge's report and recommendation. The election to not file objections to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [Dkt. #32] is **ADOPTED**.

It is further **ORDERED** that the defendant's plea of guilty as to counts one and three of the first superceding indictment is **ACCEPTED**, and the Rule 11 Plea Agreement [Dkt. #33] is taken **UNDER ADVISEMENT**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: January 21, 2011

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 21, 2011.

s/Tracy A. Jacobs
TRACY A. JACOBS